



Washington WUTC

Pipeline Safety Seminar





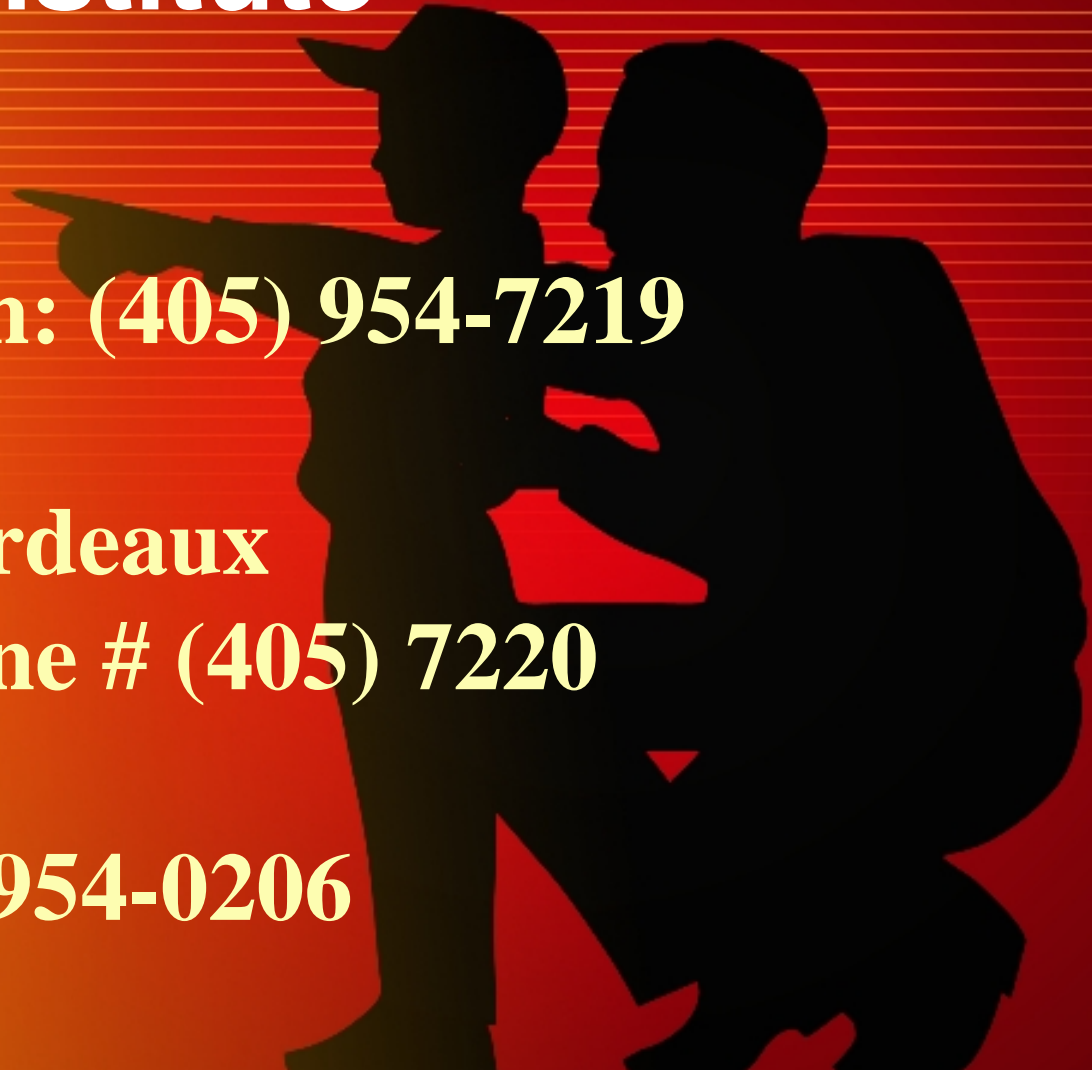
Transportation Safety Institute

Live Person: (405) 954-7219

DeWitt Burdeaux

Direct Phone # (405) 7220

Fax: (405) 954-0206





Email:
dburdeaux@tsi.jccbi.gov





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Pipeline Safety Seminar

OO Update ~ 2005



OO Update ~ 2005

Operator Qualification Rules 49 CFR Part 192 (Subpart N)





Why is OQ So Important???

- One Example -----

- 
- You've carefully thought out all the angles...

- ~~You've done it a thousand times...~~
-

- It comes naturally to you...

- You know what you're doing; its what you've been trained to do your whole life...

- Nothing could possibly go wrong, right ?

Think Again !!!





"OOQ-1" History

- **Negotiated Rulemaking** Produced Rules
- Rules Published **08/27/99** (Required all Individuals Performing **Covered Tasks** to be Qualified by **10/28/02**)



"OQ-1" History

- NTSB Announced that the Rule was **Insufficient** to Support Satisfactory Closure of OQ Issue
- OPS Initiated **"OQ-2"**



"OQ-2" History

- **OQ-2** Included:
 - Revisiting Original OQ Expectations
 - Preparation of **Inspection Protocols**
 - Development of **FAQ's**
 - Communication through **Web Site**



OOQ-2 History (Cont'd)

- Congress Weighs In (PSIA-2002)
 - OOQ "Standards and Criteria" Must be in Place by **12/17/03**
 - Regulators Must Complete Initial Inspections of all Operators by **12/17/05**
 - Pilot Program for Certification of Pipeline Controllers must be Completed by **12/17/05**



OQ-2 History (Cont'd)

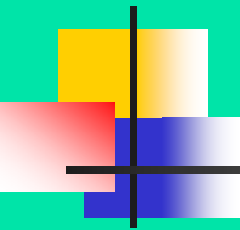
- Mini Rule (PSIA-2002)
 - Operators must provide **TRAINING**, as appropriate, to provide individuals with necessary knowledge and skills
 - Failure of OPS to act (issue regs.) does not excuse operators from requirement to comply



OQ-2 History (Cont'd)

- Mini Rule (PSIA-2002)
 - **Reevaluation intervals** are correct for task
 - **“Significant”** modifications to the operator’s OQ program must be communicated to OPS

Public Meetings Conducted OQ-2 History (Cont'd)

- 
- January 2003
San Antonio
 - February 2003
Houston
 - March 2003
Phoenix
 - April 2003
Atlanta
- Industry raised some concerns in 1st meeting that were collected into **“Thirteen OQ Implementation Issues”**
 - Subsequent meetings resolved some; remainder to be addressed in a new consensus “standard” (ASME B31.Q)

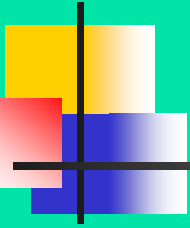
One Problem: Definition of *"Qualified"*



“Qualified” means that an **individual** has been **evaluated** and can:

- (a) **Perform** assigned **covered tasks**; and
- (b) **Recognize** and **react** to **abnormal operating conditions**.

One Problem: Definition of *“Qualified”*



- ✓ Which **Individuals** are Covered?
- ✓ Who **Evaluates** and How?
- ✓ How are **Covered Tasks** Determined?
- ✓ What are **AOC's** ?
- ✓ What does **“Recognize and React”** Mean?



Persons Covered by OQ Rule

Individuals Who Perform Covered Tasks:

- **Operator Employees**
- **Contractor Employees**
- **Subcontractor Employees**
- **“Other Entities” Performing CT’s**

“Other Entities” Performing Covered Tasks





Statement on the Role of OQ Protocols

- OQ Rule is Performance-based, Which Implies a Need for:
 - Management Practices & Procedures
 - Measurement of Program Effectiveness
- Protocols Support Rule/PSIA



Statement on the Use of OQ Protocols

- The Role of Protocols
 - Checklist to Support Inspectors & Provide Consistency in Evaluating OQ Programs
 - Structured into “Protocol Questions,” Which are Paired Directly with Prescriptive and Non-prescriptive Requirements of the Rule



Statement on the Use of OQ Protocols

- Nature of the Rule – Cont'd
 - Inspectors Will Evaluate Compliance with the **Rule's Prescriptive Provisions** (and)
 - Will Evaluate the **Completeness** and Anticipated/Apparent Effectiveness of the Documented Approaches Taken to Qualify Individuals

OQ Rule ~ Prescriptive Requirements



- §192.805: Must Have & Follow Written OQ Program

(Written Program Must Meet 7 Listed Provisions)

§192.807: Operator Shall Maintain Records



(Records Must Include 4 Specified Items)





OO Rule ~ Prescriptive Requirements

- §192.809: Operator Must Meet Specified Dates ---
 - Written Program By April 27, 2001
 - Personnel Qualified By October 28, 2002
 - Cannot Use WPHR Alone After October 28, 2002



Observations from Early Inspections: Findings (1)

- Programs Varied Considerably in **Maturity**
- Significant Differences in Number of Covered Tasks (**Use of Subtasks**)
- Significant Differences in Tasks Deemed to be “Covered” (**Definition Issue**)



Observations from Early Inspections: Findings (2)

- Program “Performance Measures” are Typically Non-existent
- Many Written Programs Tended to “Parrot” Rule Requirements Without Thinking Through Procedures to Implement Program



Observations from Early Inspections: Findings (3)

- Operators Place Significant Responsibilities on Front-line Supervisors for Success of OQ Program
- Absence of Evaluation Criteria, Qualification Documentation and Program Development “set up” Supervisors for Failure



Observations from Early Inspections: Findings (3)

Operators Differed in Treatment of Some "Outstanding Issues:"

- O&M Activities vs. "New Construction" (A "Definition" Problem...)
- Excavation Over Loaded Pipelines
- Inclusion of Emergency Response Tasks
- Integration of **Training** Documentation into the OQ Program



Observations from Early Inspections: Findings (4)

Operators Differed in Treatment of Some “Outstanding Issues”:

- AOCs (Task-specific, Often Integrated into Individual Tasks & Evaluations; Generic AOCs then Treated Separately – or Not Addressed in Some Cases)
- Virtually No Formalized and Documented Methodology to Identify New AOCs from “Near-miss”



Observations from Early Inspections: Findings (5)

Operators Differed in Treatment of Some "Outstanding Issues:"

- Specific Guidance on Span-of-Control (for Use of **Non-qualified** Individuals)
- Identifying Persons Contributing to Incident/ Accident:
 - **Immediate** Contribution (Easier)
 - **Delayed** Contribution (Harder)



Observations from Early Inspections: Findings (6)

Most Operators Treated Some “Outstanding Issues” Similarly:

- Justification for **Reevaluation Intervals** was “Subjective” (No Evidence Provided Tying Quantitative Performance Measures to the Established Intervals)
- Tendency to (Try to) Place the Compliance Burden on **Contractors** (by Contract)



Observations from Early Inspections: Findings (7)

- Discomforting use of “WPHR”
(Work Performance History Review)
to “Pre-qualify” Individuals



Observations from Early Inspections: Findings (8)

- Rigor of **Contractor Qualification** Varied Considerably, Leading to Strong Concern About Adequacy of Operator's Contractor Qualification Procedures
- Many Operators did not Consider **Replacement** of "Out-of-Service" Pipelines as O&M (a "Pipeline Facility" Definition Problem)



Observations from Early Inspections: Findings (9)

- Rigor of **Evaluator Credentialing** (or Selection) has Varied Considerably
- Insufficient Level of Detail in **Evaluation Process**



Observations from Early Inspections: Findings (10)

- Management of Change---

Guidance is Needed on Defining:

- **Significance** of Change
- Corresponding **Impact** on Qualification
- Required **Action** to Retain Qualification



Observations from Early Inspections: Findings (11)

- Large Variations in Plans to **Evaluate** Program Effectiveness, Ranging from:
 - **No Specific** Plan to Review Program
 - **Formally Review Program** “as Needed” and Assignment of Responsibility for Periodic Program Review



Likely Future Events

- Issuance of Focused Supplementary Rule (Advisory Bulletin published 11/26/04)
 - Documentation of Role of Training
 - Support for Reevaluation Interval
 - Reporting of “Significant Changes”
- Publication of B31.Q
- 2nd Supplementary Rulemaking Based on Adoption of B31.Q Standard



Who's Developing the B31.Q Standard?

- Stakeholders under ASME
 - Industry: Oil, Gas, Liquids, Offshore, Transmission and LDC's
 - Vendors
 - Contractors
 - Regulators (State and Federal)



Scope of B31.Q Standard

This standard specifies the requirements for the qualification of individuals performing safety or integrity related tasks for the operation and maintenance of gas and hazardous liquid pipelines that are subject to ASME B31.4 & B31.8.



Scope of B31.Q Standard

The standard establishes the processes to determine which tasks require qualified individuals and the processes that may be utilized to obtain qualification.



Scope of B31.Q Standard

The standard also includes processes for training, requalification, documentation, quality control and requirements for management of change.

What's the status of the standard?



- B31.Q Committee meet
- Draft on Web by February 2005 for Public Comment
Ball in OPS' Court (OPS can **ibr** B31.Q in its Entirety, Specific Sections, Sections with Changes or Additions, or do Nothing at all)
- If OPS **Incorporates** - 2006 to Take Effect and Until **2008** to Comply



Expected Benefits of B31.Q

- Future Rule Changes Should be Minimized
- IMP Requirements are Embedded
- “Portability” is Possible Outcome
- Will Better Meet Stakeholders’ Expectations (NTSB, Congress)

Moving Forward with OQ





Inspection Deadline

- All Operators are to be Inspected by
December 17, 2005,
as Required by PSIA 2002



Inspection Format

- Use of 16 Protocol Questions, Including Process, Procedure, and Records *(Elements 1-8)*
- Field Verification:
Review of Task Performance, Procedures, and Knowledge of AOC's *(Element 9)*

OQ Protocol Summary Statistics

Protocol	Question Name	No Issue	Potential Issues	% PI	N/A	Not Insp.	Total
1.01	Application and Customization of 'Off-the-Shelf Programs'	869	193	18.2%	1		1063
1.02	Contractor Qualification	824	218	20.5%	13	8	1063
1.03	Management of Other Entities Performing Covered Tasks	794	142	13.4%	119	8	1063
1.04	Training Requirements (Initial Qualification, Remedial, and Reevaluation)	873	161	15.1%	3	26	1063
1.05	Written Qualification Program	931	121	11.4%	3	8	1063
2.01	Development of Covered Task List	896	158	14.9%	1	8	1063
2.02	Evaluation Method(s) (Demonstration of Knowledge, Skill and Ability)	871	184	17.3%		8	1063
3.01	Development and Documentation of Areas of Qualification for Individuals Performing Covered	897	157	14.8%	1	8	1063
3.02	Covered Task Performed by Non-Qualified Individual	853	200	18.8%	1	9	1063
4.01	Role of and Approach to 'Work Performance History Review'	895	61	5.7%	99	8	1063
4.02	Evaluation of Individual's Capability to Recognize and React to AOCs	797	258	24.3%		8	1063
5.01	Personnel Performance Monitoring	922	132	12.4%	1	8	1063
5.02	Reevaluation Interval and Methodology for Determining the Interval	920	135	12.7%		8	1063
6.01	Program Performance and Improvement	808	214	20.1%		41	1063
7.01	Qualification Trail	936	118	11.1%	1	8	1063
8.01	Management of Changes (to Procedures, Tools, Standards, etc.)	898	157	14.8%		8	1063
		13,984	2,609		243	172	

Click a Protocol Question number to run Correlation Report for that question.



Enforcement of the OOQ Rule

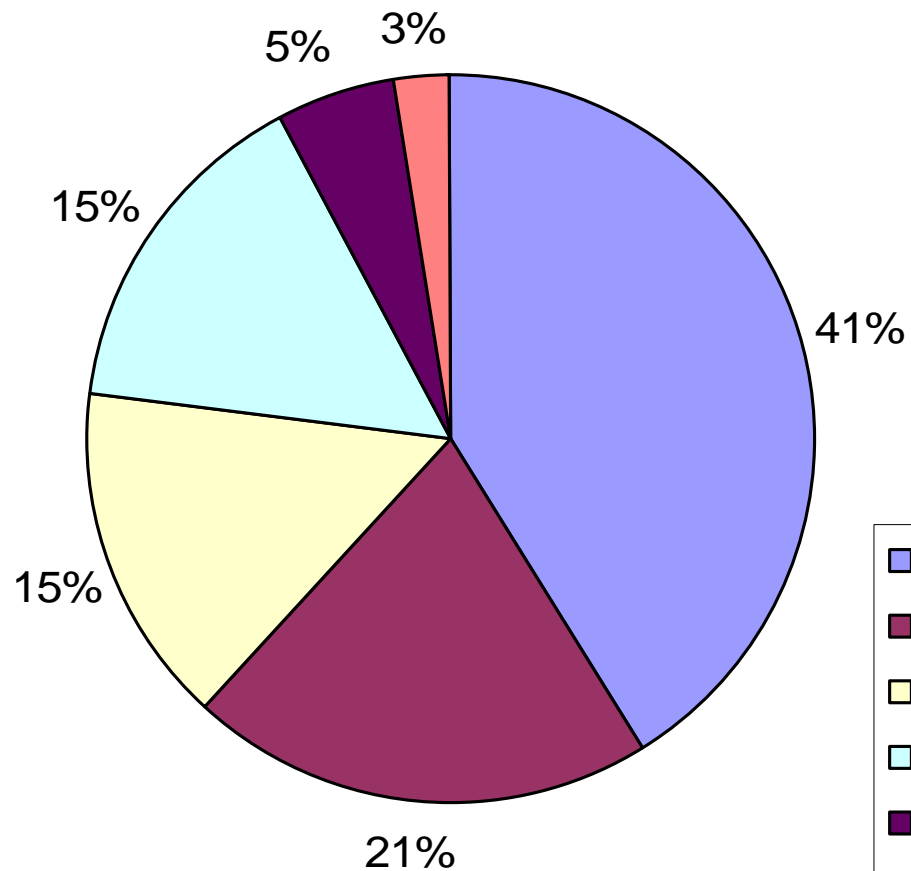
- Significant Efforts Underway to Ensure **Consistency** of Inspections
- Enforcement of Rule may Vary Among Federal and State Authorities

Enforcement of the OOQ Rule



- OPS will Utilize all Available **Enforcement Tools** to Address Inadequate Plans, Records, and Compliance with the Rule, Including:
 - (NOA) Notice of Amendment
 - (NOPV) Notice of Probable Violation
 - (PCO) Proposed Compliance Order
 - (PCP) Proposed Civil Penalty

Distribution of Issued Enforcement Actions by Enforcement Type



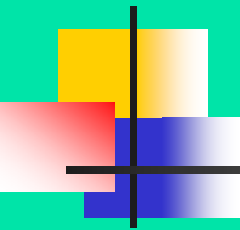
62% of OQ violations are NOPVs and NOAs

- Notice of Amendment
- Notice of Probable Violation
- Proposed Civil Penalty
- Compliance Order
- Warning Letter
- Letter of Concern



Staying Current

- <http://primis.rspa.dot.gov/oq/index.htm>
- <http://www.tsi.dot.gov/divisions/pipeline/pipeline.htm>



Other Sources for Information

**Thirteen OQ
Implementation Issues**

May 6, 2003

Other Sources for Information



Top OQ Issues To Date

Office of Pipeline Safety



Other Sources for Information



*Summary Statistics
by Protocol*

Office of Pipeline Safety



Other Sources for Information

“Word” Documents:

OQ History.doc

OQ Lessons Learned_021804.doc

Enforcement Guidelines with Comments.doc

OQ Audit Issues 8-13-01.doc

